

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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EDWIN MALDONADO,

**VERIFIED COMPLAINT**

Plaintiff,

2007 CV 3500  
(PAC/AJP)

-against-

ANGELA LARKIN and HAROLD F. LARKIN,

JURY TRIAL DEMANDED

Defendants.  
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Plaintiff, by his attorneys, WEISS & ROSENBLOOM, P.C.,  
complaining of defendants, respectfully alleges as follows:

1. Plaintiff is a citizen of the State of New York.
2. Upon information and belief, defendant, ANGELA LARKIN, is a citizen of the State of New Jersey.
3. Upon information and belief, defendant, HAROLD F. LARKIN, is a citizen of the State of New Jersey.
4. The amount in controversy exceeds, exclusive of interest and costs, the sum specified by 28 U.S.C. §1332.
5. Jurisdiction is founded upon diversity of citizenship and amount.
6. On March 21, 2007, defendant, ANGELA LARKIN, was the owner of a 2003 Honda motor vehicle bearing New Jersey license plate number HR9773 ("Vehicle No. 1").
7. On March 21, 2007, at approximately 10:30 a.m., at or near the intersection of West 50<sup>th</sup> Street and Eighth Avenue, in the County of New York, City and State of New York, defendant, HAROLD F. LARKIN, was the operator of Vehicle No. 1.

8. At all times herein mentioned, defendant, HAROLD F. LARKIN, was operating Vehicle No. 1 with the express and/or implied permission and consent of defendant, ANGELA LARKIN.

9. At all times herein mentioned, plaintiff, EDWIN MALDONADO, was a pedestrian lawfully walking at the aforesaid location.

10. On the aforementioned date and time, at the aforementioned location, Vehicle No. 1 struck plaintiff.

11. As a result of the aforesaid contact, plaintiff was injured.

12. The aforesaid occurrence was caused wholly and solely by reason of the negligence of defendants, ANGELA LARKIN and HAROLD F. LARKIN, without any fault or negligence on the part of plaintiff contributing thereto.

13. By reason of the foregoing, plaintiff was caused to sustain serious injuries and has sustained a resultant loss therefrom.

14. Plaintiff sustained serious injuries as defined in Subdivision d of §5102 of the New York Insurance Law-Recodification.

15. Plaintiff sustained serious injuries and economic loss greater than basic economic loss as to satisfy the exceptions of §5104 of the New York Insurance Law.

16. This action falls within one or more of the exceptions as set forth in New York CPLR §1602.

17. By reason of the foregoing, plaintiff has been

damaged in the sum of Two Million Dollars (\$2,000,000.00).

WHEREFORE, plaintiff, EDWIN MALDONADO, demands judgment against defendants, ANGELA LARKIN and HAROLD F. LARKIN, in the sum of Two Million Dollars (\$2,000,000.00), together with the costs and disbursements of this action.

Dated: New York, NY  
April 30, 2007

Yours, etc.,

WEISS & ROSENBLOOM, P.C.

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By: Barry D. Weiss, Esq.  
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Our File # 07E711